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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/804,078	03/19/2004	Jea-sun You	116511-00128	7047

27557 7590 04/02/2007
BLANK ROME LLP
600 NEW HAMPSHIRE AVENUE, N.W.
WASHINGTON, DC 20037

EXAMINER

SNIDER, THERESA T

ART UNIT	PAPER NUMBER
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1744

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	04/02/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	Application No. 10/804,078	Applicant(s) YOU ET AL.	
	Examiner Theresa T. Snider	Art Unit 1744	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-11 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 19 March 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>See Continuation Sheet</u> . | 6) <input type="checkbox"/> Other: ____ |

Continuation of Attachment(s) 3. Information Disclosure Statement(s) (PTO/SB/08), Paper No(s)/Mail Date :12/30/04, 4/27, 5/23, 6/24/2005 & 2/1, 9/12/2006.

DETAILED ACTION

Priority

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Information Disclosure Statement

2. JP10-075018, as cited on the information disclosure statement filed 9/12/2006, was not considered because it had been considered on the information disclosure statement filed 2/1/2006.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1-2 and 10-11 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by Larsen(4,006,511).

Larsen discloses a body (fig. 1, V).

Larsen discloses a driving part driving a plurality of wheels disposed at a lower portion of the body (fig. 1, #10).

Larsen discloses a dust suction part formed in the body (fig. 1, #11,22,MB).

Art Unit: 1744

Larsen discloses an air cleaning part formed in the body (fig. 1, #15,c,26,32, col. 6, lines 12-13).

Larsen discloses a controller disposed in the body to control the driving part and the air cleaning part (col. 8, line 56-col. 9, line 5, col. 9, lines 31-33).

With respect to claim 2, Larsen discloses a body cover (fig. 1, #17) and the air cleaning part including a suction driving source (fig. 1, AB), a suction port connected to one side of the cover (figs. 1-2, #15), a discharge port connected to another side of the cover (figs. 1-2, #32), an air cleaning duct in fluid communication with the ports(fig. 1, #28) and a plurality of filters disposed in the cleaning duct (fig. 1, 'filter').

With respect to claim 10, Larsen discloses the cleaning system performing a cleaning task and an air cleaning work at the same time (col. 9, lines 40-53).

With respect to claim 11, Larsen discloses a suction driving source (fig. 1, AB), a suction port (fig. 1, #15), a discharge port (fig. 1, #32) and at least one filter (fig. 1, 'filter').

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35

U.S.C. 103(a) are summarized as follows:

Art Unit: 1744

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

7. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

8. Claims 1-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over JP4-352925 in view of Bartsch(6,459,955) .

JP4-352925 discloses a similar cleaner however fails to disclose a driving part.

JP4-352925 discloses a body (fig. 2, #11).

JP4-352925 discloses a plurality of wheels disposed at a lower portion of the body (fig.

2, #11g). Bartsch. discloses a cleaner having a driving part for a plurality of wheels

(claim 1). It would have been obvious to one of ordinary skill in the art to provide the

driving part of Bartsch in JP4-352925 to allow for movement of the body along a surface

without an operator having to pull it along the surface.

JP4-352925 discloses a dust suction part formed in the body (fig. 3, #15).

JP4-352925 discloses an air cleaning part formed in the body (fig. 3, #17,13,16).

Art Unit: 1744

Bartsch discloses a controller disposed in the body to control the driving part (claim 1).

It would have been obvious to one of ordinary skill in the art to have the controller of Bartsch control the air cleaning part of JP4-352925 to allow for a common controller for the different electrical devices.

With respect to claim 2, JP4-352925 discloses a body cover (fig. 2, #18), a suction driving source (fig. 3, #14), a suction port connected to one side of the cover (fig. 3, #17, #15), a discharge port connected to another side of the cover (fig. 3, #17), an air cleaning duct in fluid communication with the ports (fig. 3, area defined around #13,14) and a plurality of filters disposed in the cleaning duct (fig. 3, #13).

With respect to claims 3-7, it would have been obvious to one of ordinary skill in the art to determine the most appropriate port locations in JP4-352925 in view of Bartsch to allow for the most effective fluid flow through the body.

With respect to claim 8, JP4-352925 discloses the suction driving source disposed in the air cleaning duct (fig. 3, #14).

With respect to claim 9, it would have been obvious to one of ordinary skill in the art to provide for different filter media in JP4-352925 in view of Bartsch to allow for the most effective filtering of different sized particles.

With respect to claim 10, JP4-352925 discloses the cleaning system performing a cleaning task and an air cleaning work at the same time (fig. 3, arrows A,B).

9. Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Larsen(4,006,511).
Larsen discloses a similar cleaner however fails to disclose different filter media.

Art Unit: 1744

It would have been obvious to one of ordinary skill in the art to provide for different filter media in Larsen to allow for the most effective filtering of different sized particles.

Conclusion

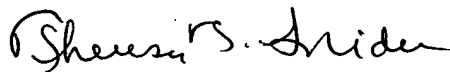
10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. McCutchen discloses a vacuum cleaning machine that draws in ambient air into the cleaner. Ibbertson et al. discloses a vacuum cleaner with inlets to draw in ambient air into the cleaner as well as having an inlet for cleaning a surface.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Theresa T. Snider whose telephone number is (571) 272-1277. The examiner can normally be reached on Monday-Friday (5:30am-2:00pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gladys Corcoran can be reached on (571) 272-1214. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 1744

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Theresa T. Snider
Primary Examiner
Art Unit 1744

3/23/07